

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 4161-14

C# M#

FOGHER

TC/A.U.

1638

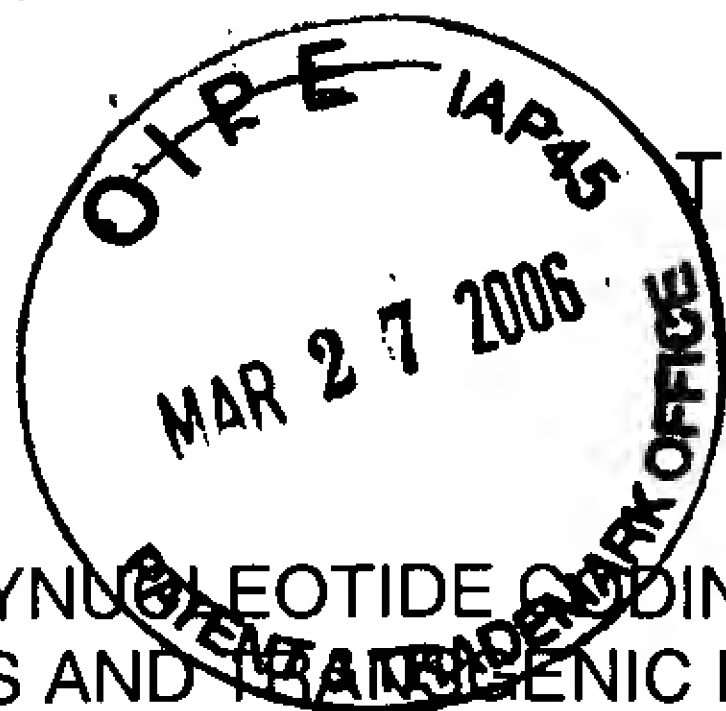
Serial No. 09/743,823

Examiner: C.E. Collins

Filed: August 22, 2001

Date: March 27, 2006

Title: SYNTHETIC POLYNUCLEOTIDE CODING FOR HUMAN LACTOFERRIN, VECTORS, CELLS AND TRANSGENIC PLANTS CONTAINING IT



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PRELIMINARY AMENDMENT**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

**Fees are attached as calculated below:**

Total effective claims after amendment	48	minus highest number	
previously paid for	58	(at least 20) =	0 x \$50.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	2	minus highest number	
previously paid for	3	(at least 3) =	0 x \$200.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1203)/\$180.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension	\$120.00 (1251)/\$60.00 (2251)
Two Month Extensions	\$450.00 (1252)/\$225.00 (2252)
Three Month Extensions	\$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions	\$1590.00 (1254)/\$795.00 (2254)
Five Month Extensions	\$2160.00 (1255)/\$1080.00 (2255)

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: **PAPER AND COMPUTER READABLE FORM OF THE SEQUENCE LISTING** \$

**TOTAL FEE ENCLOSED \$ 0.00**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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GRT:ap

NIXON & VANDERHUYE P.C.  
By Atty: Gary R. Tanigawa, Reg. No. 43,180

Signature:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

FOGHER

Appln. No. 09/743,823

Filed: August 22, 2001

Confirmation No. 8610

Atty. Ref.: 4161-14

T.C. / Art Unit: 1638

Examiner: C.E. Collins

FOR: SYNTHETIC POLYNUCLEOTIDE CODING FOR HUMAN LACTOFERRIN,  
VECTORS, CELLS AND TRANSGENIC PLANTS CONTAINING IT

\* \* \*

**PRELIMINARY AMENDMENT**

March 27, 2006

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to calculation of the filing fee and examination of this application, entry and consideration of the following amendments and remarks are respectfully requested.

Paper and computer readable copies of the substitute **Sequence Listing** are submitted herewith and their entry is requested on page 2.

The **claims** are presented on pages 3-9.

Claims 63, 73 and 98 are amended.

Claims 118-123 are added.

**Remarks** begin on page 10.

03/28/2006 MBLANCO 00000002 09743823

02 FC:2253

60.00 DP

**IN THE SEQUENCE LISTING**

Kindly enter the attached Sequence Listing in lieu of the substitute submitted on August 22, 2001.

Paper and computer readable forms of the Sequence Listing do not add new matter, and their contents are the same. It is respectfully submitted that the attached complies with 37 CFR § 1.821 et seq. Otherwise, prompt notice of any defects in the Sequence Listing is earnestly solicited and additional time is requested to comply.